

Application No.: 09/939,306

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Docket No.: 577172000300

REMARKS

Claims 1-8 and 17-43 are pending. Claims 1-8 have been withdrawn from consideration and claims 9-16 have been cancelled in previously entered amendments. Claims 17, 19, 27-35 and 39 have been amended. Claims 44-50 have been added.

Claims 19 and 28-35 were objected to for a language informality. The claims have been amended in accordance with the Examiner's suggestions. Withdrawal of the objection is respectfully requested.

Claims 17, 19-32 and 34-43 were rejected under 35 U.S.C. 103(a) as being unpatentable over Eilat (WO 99/00163). Applicants believe that amended claims 17, 27 and 39 overcome these rejections. Applicants have reviewed the references cited by the Examiner and note that none of the references, alone or in combination, disclose all the limitations of amended independent claims 17, 27 and 39. Specifically, Applicants have amended independent claims 17, 27 and 39 to include limitations directed to methods, systems and means for selecting at least one of the first and second players for a game based on at least one player-defined parameter. Additionally, Applicants note that none of the references, alone or in combination, disclose the system of new independent claim 44 wherein the registration of at least one of the first and second players is solicited through an advertisement.

Claims 18-26, 28-38, 40-43 and 45-50 depend from independent claims 17, 27, 39 and 44. The Applicants respectfully submit that they have shown the patentability of at least independent claims 17, 27, 39 and 44. Accordingly, claims 18-26, 28-38, 40-43 and 45-50 are themselves patentable insofar as they depend from patentably distinct independent claims. The Applicants make this assertion without reference to the independent bases of patentability contained within each dependent claim. Accordingly, the Applicants respectfully request the Examiner withdraw his rejections and allow all pending dependent claims.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to

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withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 577172000300.

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Respectfully submitted,

By 

James M. Denaro

Registration No.: 54,063

MORRISON & FOERSTER LLP

1650 Tysons Blvd, Suite 300

McLean, Virginia 22102

(703) 760-7739

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